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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

James Clifton Potter

Serial No.: 10/064,659

Filed: August 5, 2002

For: APPARATUS AND METHOD FOR DETERMINING HYBRID ELECTRIC
VEHICLE PERFORMANCE

Attorney Docket No.: 200-1165 / 81046591 / FMC 1699 PUS

Group Art Unit: 3618

Examiner: Jeffrey J. Restifo

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31

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Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated September 17, 2004 in the above-identified patent application.

Please charge the appeal fee of \$500.00 as applicable under the provisions of 37 C.F.R. § 41.20(b)(1), as well as any additional fees, or credit any overpayment in

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I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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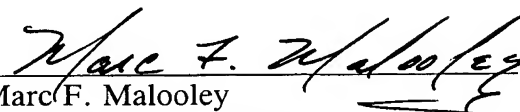
Marc F. Malooley
Name of Person Signing

Marc F. Malooley
Signature

connection with this filing, to Ford Global Technologies LLC, Deposit Account No. 06-1510.
A duplicate of this notice is enclosed for this purpose.

Respectfully submitted,

James Clifton Potter

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Date: December 9, 2004

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